

Senate Bill No. 237

Passed the Senate April 21, 2005

Secretary of the Senate

Passed the Assembly June 23, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 798.19.5 to the Civil Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 237, Migden. Mobilehome parks: transfers of mobilehomes.

The Mobilehome Residency Law regulates the terms and conditions of tenancies in mobilehome parks and prohibits a mobilehome park rental agreement from containing a provision by which the homeowner waives the rights provided by it. The Mobilehome Residency Law provides certain parties specified rights in connection with the transfer of mobilehomes in the park and grants to park management the right of prior approval of a purchaser of a mobilehome to remain in the park.

This bill would prohibit a mobilehome park rental agreement entered into or renewed on and after January 1, 2006, from including any other provision that grants to management the right of first refusal to purchase a homeowner's mobilehome that is in the park and offered for sale to a third party, as specified. The bill would also specify that it does not preclude a separate agreement for separate consideration granting the park owner or management a right of first refusal to purchase a homeowner's mobilehome that is in the park and offered for sale.

The people of the State of California do enact as follows:

SECTION 1. Section 798.19.5 is added to the Civil Code, to read:

798.19.5. A rental agreement entered into or renewed on and after January 1, 2006, shall not include a clause, rule, regulation, or any other provision that grants to management the right of first refusal to purchase a homeowner's mobilehome that is in the park and offered for sale to a third party pursuant to Article 7 (commencing with Section 798.70). This section does not preclude a separate agreement for separate consideration granting the park owner or management a right of first refusal to purchase

the homeowner's mobilehome that is in the park and offered for sale.

Approved _____, 2005

Governor